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*Class Counsel for Consolidated Action
Plaintiffs*

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[Additional counsel listed on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE: NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION ATHLETIC
GRANT-IN-AID CAP ANTITRUST
LITIGATION

Case No. 4:14-md-2541-CW

**STIPULATION AND [PROPOSED] ORDER
REGARDING PLAINTIFFS' FEE AND COST
AWARD**

This Document Relates to:

ALL ACTIONS

1 WHEREAS, on December 6, 2019, the Court issued an Order Granting In Part And Denying
2 In Part Plaintiffs' Motion for Attorneys Fees, Expenses, Service Awards, and Taxed Costs and
3 Requesting Further Submission (the "Preliminary Fee Order") ECF No. 1259;

4 WHEREAS, on December 23, 2019, the Court issued its Final Order Granting Plaintiffs'
5 Motion for Attorneys' Fees, Expenses and Service Awards, and Taxed Costs. ECF No. 1261, (the
6 "Final Fee Order"), awarding Plaintiffs' fees and costs incurred through October 30, 2019 and service
7 awards to named Plaintiffs;
8

9 WHEREAS, the Final Fee Order clarified that the Court "will address attorneys' fees, expenses
10 and costs incurred by Plaintiffs' Counsel which post-date October 30, 2019 at a later date," Final Fee
11 Order at 1 n.2;

12 WHEREAS, on February 24, 2020, the District Court adopted the Preliminary Fee Order and
13 the Final Fee Order "in every respect," ECF No. 1280;

14
15 WHEREAS, on July 17, 2020, the Parties submitted a Stipulation and [Proposed] Order
16 Regarding Schedule for Resolving Remaining Attorneys' Fees, Expenses and Service Awards
17 Requests, which was so-ordered by the Court on August 5, 2020, ECF Nos. 1291, 1293 (the
18 "Stipulation");

19 WHEREAS, on June 21, 2021 the Supreme Court of the United States unanimously affirmed
20 the Ninth Circuit's ruling in this action;

21
22 WHEREAS, on July 6, 2021, in accordance with Paragraph 5(a) Stipulation, Plaintiffs'
23 Counsel submitted supplemental declarations detailing the following attorneys' fees and costs: (1)
24 Winston & Strawn LLP's attorneys' fees and costs incurred between July 8, 2020 and July 5, 2021,
25 (2) Hagens Berman Sobol Shapiro LLP's attorneys' fees and costs incurred between July 8, 2020 and
26
27
28

July 6, 2021, and (3) Pearson, Simon & Warshaw, LLP's attorneys' fees incurred between July 8, 2020 and July 5, 2021 (the "2021 Fee and Cost Request");

WHEREAS, in accordance with Paragraphs 5(b) – (c) of the Stipulation, Plaintiffs provided Defendants with the billing records supporting the attorneys' fees requested in the 2021 Fee and Cost Request, as well as billing records supporting additional attorneys fees incurred by Plaintiffs' Counsel following the submission of the 2021 Fee and Cost Request; and

WHEREAS, in accordance with Paragraph 5(d) of the Stipulation, the Parties have met-and-conferred regarding the 2021 Fee and Cost Request and the additional attorneys fees incurred by Plaintiffs' counsel following the submission of the 2021 Fee and Cost Request.

THEREFORE, in accordance with Paragraph 5(e) of the Stipulation, the Parties hereby agree and stipulate as follows:

1. Plaintiffs are entitled to the following fees, costs and expenses, which fees, costs and expenses shall be paid on or before August 6, 2021 to respective Plaintiffs' Counsel in accordance with the reasonable instructions provided by Plaintiffs' Counsel:

Firm	Compensable Fees
Winston & Strawn LLP	\$2,966,362.35
Hagens Berman Sobol Shapiro LLP	\$352,506.50
Pearson, Simon & Warshaw LLP	\$158,129.00
TOTAL	\$3,476,997.85

Firm	Compensable Costs & Expenses
Winston & Strawn LLP	\$39,983.28
Hagens Berman Sobol Shapiro LLP	\$2,521.79
TOTAL	\$42,505.07

1 Dated: August 3, 2021

Respectfully submitted,

2 HAGENS BERMAN SOBOL SHAPIRO LLP

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ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in the filing of this document has been obtained from the signatories above.

/s/ Jeffrey L. Kessler

[PROPOSED] ORDER

Having reviewed the foregoing **STIPULATION AND [PROPOSED] ORDER REGARDING PLAINTIFFS' FEE AND COST AWARD** (the "Stipulation"), the Court **GRANTS** the Stipulation.

IT IS HEREBY ORDERED that Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards is **GRANTED IN PART** as follows:

1. The Court **HEREBY AWARDS** Plaintiffs \$3,476,997.85¹ in additional attorneys' fees to be paid to the respective Plaintiffs' Counsel firms on or before August 6, 2021 as follows:

Firm	Fees
Winston & Strawn LLP	\$2,966,362.35
Hagens Berman Sobol Shapiro LLP	\$352,506.50
Pearson, Simon & Warshaw LLP	\$158,129.00

2. The Court also **HEREBY AWARDS** Plaintiffs \$42,505.07 in additional costs and expenses to be paid to the respective Plaintiffs' Counsel firms on or before August 6, 2021 as follows:

Firm	Costs & Expenses
Winston & Strawn LLP	\$39,983.28
Hagens Berman Sobol Shapiro LLP	\$2,521.79

IT IS SO ORDERED.

Dated: _____

The Honorable Nathanael M. Cousins
United States Magistrate Judge

¹ The fees and costs awarded herein are in addition to the fees, costs, expenses and service awards awarded to Plaintiffs by the Court's prior Orders (ECF Nos. 1261, 1280, 1301). This award addresses Plaintiffs' attorneys' fees and costs incurred from July 8, 2020 through August 2, 2021. Should additional disputes arise between the Parties after August 2, 2021 in connection with the Court's continuing jurisdiction over the injunction in this matter, the Court will address any attorneys' fees, expenses and costs incurred by Plaintiffs at such time.